



AGENDA
August 14, 2018
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

Realty Appraisal Co.

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for July 2018
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
3. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fee
4. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
5. Resolution authorizing the Chief Financial Officer to draw a check for the balance of escrow monies
6. Resolution authorizing the Chief Financial Officer to draw warrants for disabled Veteran tax exemption
7. Resolution authorizing the CFO to draw warrants for 2014-2017 pursuant to Tax Court of NJ
8. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes
9. Resolution authorizing the Chief Financial Officer to issue warrants for Special District Taxes
10. Resolution authorizing the Chief Financial Officer to issue warrants for Union County & Union County Open Space taxes
11. Resolution authorizing an award of contract for Fire Department Phase 3 Assessment
12. Resolution authorizing an award of contract for the purchase and installation of restrooms at Westfield Memorial Park
13. Resolution authorizing an award of contract for 2018 Improvements to Westfield Memorial Pool
14. Resolution authorizing an application in connection with a “Kids Recreation Trust Fund” grant

15. Resolution to amend Cash Management Plan

Public Safety, Transportation and Parking Committee

1. Resolution appointing Acting Police Chief
2. Resolution requesting Union County approval for the installation of rectangular rapid-flash beacons (RRFB) at certain crosswalks

Code Review & Town Property Committee

Public Works Committee

1. Resolution authorizing final acceptance for 2018 Various Street Improvements (2017 Carryover of Various Street Assessable Projects)
2. Resolution authorizing final acceptance for 2017 Various Road Improvements
3. Resolution authorizing the purchase of Public Works equipment (2018 Paver and Roller)

ORDINANCES

GENERAL ORDINANCE NO. 2110

“AN ORDINANCE TO AMEND CHAPTER 13, SECTION 31 (MOTOR VEHICLES AND TRAFFIC, PARKING LOT NO. 4) OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO CLARIFY THE REGULATIONS AND TO ALLOW FOR ADDITIONAL PAYMENT OPTIONS TO PAY STATIONS AND MPAY2PARK APP”

GENERAL ORDINANCE NO. 2111

“AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD”

GENERAL ORDINANCE NO. 2112

“AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE CODE OF THE TOWN OF WESTFIELD”

GENERAL BUSINESS

Optimist Club Halloween Parade Request

COMMITTEE REPORTS

Code Review and Town Property Committee

OPEN DISCUSSION BY CITIZENS (as needed)

EXECUTIVE SESSION

REMINDER

Next Council Meeting – September 4, 2018
Next Conference Meeting – September 4, 2018

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$44.40 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of July 2018.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Mrs. Jill Hurt 800 Forest Ave Apt #15A Westfield, NJ 07090	Dept. #195/Pool	Refund/Swim Lessons 2 Sessions Matthew Hurtt	\$110.00
Dr. Steven Schoeman 101 Jefferson Ave Westfield, NJ 07090	Dept. #195/Pool	Pool Membership Pro-Rated 2 Senior Memberships	\$101.28
Dara Meiner 1714 Grandview Ave Westfield, NJ 07090	Dept. #195/Pool	Stand-Up Paddle B. Yoga Dara Meiner	\$25.00
Katherine Dulan 746 Knollwood Terr. Westfield, NJ 07090	Dept. #195/Pool	Water Aerobics Katherine Dulan	\$65.00
Erinn DelGatto 770 Prospect Street Westfield, NJ 07090	Dept. #195/Pool	Aqua HIIT** Erinn DelGatto	\$75.00
Irene Nunes-Cravo 409 Woodland Ave Westfield, NJ 07090	Dept. #195/Pool	Aqua HIIT** Irene Nunes-Cravo	\$75.00
Mary Camacho 736 W. Broad Street Westfield, NJ 07090	Dept. #195/Pool	Aqua HIIT** Mary Camacho	\$75.00
Tina Whipple 328 N. Chestnut Street Westfield, NJ 07090	Dept. #195/Pool	Aqua HIIT** Tina Whipple	\$75.00
Donna Sturchio 646 Norman Place Westfield, NJ 07090	T05-600-073 Trust 218 Sports Camp	Flag Football Camp* Matthew Sturchio	\$95.00

Keya Parekh 101 Cottage Place Westfield, NJ 07090	T05-600-073 Trust 218 Sports Camp	Flag Football Camp* Vivaan Parekh	\$95.00
Yelena Mammadova 50 Doris Parkway Westfield, NJ 070990	T05-600-073 Trust 218 Sports Camp	Flag Football Camp* Iskandar Mirtagavi	\$95.00
Cathy Jones 550 Birch Ave Westfield, NJ 07090	T05-600-073 Trust 218 Sports Camp	Flag Football Camp* Max Jones	\$95.00
Sabrina Dorey 2 Messner Way Clark, NJ 07066	T05-600-073 Trust 218 Sports Camp	Get Better Basketball Session #2 Anthony Dorey	\$150.00
Abby Saunders 936 Grandview Ave Westfield, NJ 07090	T-05-600-073 Trust 218 Sports Camp	Get Better Basketball Session #2 Jack Saunders	\$150.00
Leena Daswani 618 Clark Street Westfield, NJ 07090	T-05-600-073 Trust 218 Sports Camp	Get Better Basketball Session #3 Dev Daswani	\$150.00
Nicola Braganza 639 Westfield Ave Westfield, NJ 07090	T-05-6000-073 Trust 218 Sports Camp	Wrestling Camp Leon Braganza	\$95.00
Jan Johannsen 312 Clifton Street Westfield, NJ 07090	T-05-600-073 Trust 218 Sports Camp	Football Camp July 16 – 19 Benjamin Johannsen	\$95.00
Denise Harrison 312 Linden Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Playground Stella Harrison	\$115.00
Sheila Chavez 237 Edgewood Ave Westfield, NJ 07090	T-05-600-073 Trust 218 Sports Camps	Golf Camp July 30 – Aug 3 Jack Chavez	\$120.00

Note: *Week #1 - Flag Football cancelled due to low enrollment

** Aqua HIIT - Class cancelled due to low enrollment

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Jennifer Weisberg	Smart Card	\$62.25
25432 North 44 th Drive		
Pheonix, AZ 85083		

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Ethan Schoss Construction Inc.
P.O. Box 969
Scotch Plains, NJ 07076

Amount of refund: \$975.00

Multi Roofing System, Inc.
651 King George Post Road
Edison, NJ 08837

Amount of refund: \$975.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
BOA 17-59	Matthew & Virginia Quinn	914 Mountainview Circle	8-05-560-656	\$698.97
Return to:	Matthew & Virginia Quinn	914 Mountainview Circle	Westfield	07090
BOA 17-61	Mark Dow	247 Prospect Street	8-05-560-658	\$500
Return to:	Mark Dow	34 Franklin Place	Summit	07091
BOA 17-64	Jennifer Pool & Christopher Miller	3 Breeze Knoll Drive	8-05-560-661	\$448.97
Return to:	Jennifer Pool & Christopher Miller	3 Breeze Knoll Drive	Westfield NJ	07090
BOA 18-01	Angela Kaufman	411 Prospect Street	8-05-560-664	\$448.97
Return to:	Angela Kaufman	411 Prospect Street	Westfield NJ	07090
BOA 18-02	Kevin & Corey Zippler	922 Mountainview Circle	8-05-560-665	\$250.00
Return to:	Kevin & Corey Zippler	922 Mountainview Circle	Westfield NJ	07090
BOA 18-03	Maria Blanco	417 Kimball Avenue	8-05-560-666	\$448.97

Return to:	Maria Blanco	417 Kimball Avenue	Westfield NJ	07090
BOA 18-04	Monika Gupta	1524 Pine Grove Avenue	8-05-560-667	\$198.97
Return to:	Monika Gupta	1 Second Street Apt. 1011	Jersey City	07302
BOA 18-06	Sabrina & Simon Kelner	315 Kimball Avenue	8-05-560-669	\$923.45
Return to:	Sabrina & Simon Kelner	315 Kimball Avenue	Westfield NJ	07090
BOA 18-07	Heather Wainer & Lou Weidt	101 West Dudley Avenue	8-05-560-670	\$173.45
Return to:	Heather Wainer & Lou Weidt	101 West Dudley Avenue	Westfield NJ	07090
BOA 18-08	Kyungsuk Bae	708 Boulevard	8-05-560-671	\$448.97
Return to:	Kyungsuk Bae	708 Boulevard	Westfield NJ	07090
BOA 18-09	Thomas & Emily Reichart	420 Colonial Avenue	8-05-560-672	\$448.97
Return to:	Thomas & Emily Reichart	420 Colonial Avenue	Westfield	07090
BOA 18-10	Anne-Marie & David Mora	649 Maple Street	8-05-560-673	\$448.97
Return to:	Anne-Marie & David Mora	649 Maple Street	Westfield NJ	07090
BOA 18-15	John Kim	417 Tuttle Parkway	8-05-560-678	\$198.97
Return to:	John Kim	417 Tuttle Parkway	Westfield NJ	07090
BOA 18-17	William Bible	29 Gallowae	8-05-560-680	\$198.97
Return to:	William Bible	29 Gallowae	Westfield NJ	07090
BOA 18-33	Peter McElynn	1 Doris Parkway	8-05-560-696	\$250
Return to:	Peter McElynn	1 Doris Parkway	Westfield NJ	07090

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, the following persons, homeowners residing in Westfield, NJ, have filed for a 100% disabled rating due to service connected injuries, making them eligible for a Property Tax Exemption Qualification for the tax year 2018, and

WHEREAS the Mayor and Town Council elect to exercise their discretion to exempt homeowners from payment of real estate taxes for the prorated year 2018 and refund said homeowners retroactively to the effective date of disability stated in the Veteran Administration letter;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and he hereby is authorized to draw warrants to the below mentioned, this being a refund for prorated 2018 taxes, based on the application as indicated below;

Block/Lot/Qualifier Address Name	Application Date	Refund	Exempt for Full Year Beginning
701/35 SWANSON, Jeffrey Lee 240 Seneca Place	6/26/18	\$4,530.17	2019
2211/8 GOLDEN, William T 101 Linden Avenue	2/17/18	\$10,705.98	2019

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2014-2017 pursuant to the Tax Court of New Jersey:

Block/Lot

Name	Address	Year	Amount
3116/13	226 North Avenue West	2014	\$7,276.20
Payable to:		2015	\$7,510.97
Mandelbaum Salsburg, P.C. – Attorney Trust Account		2016	\$7,658.90
Mail to:		2017	<u>\$11,132.22</u>
Mandelbaum Salsburg, P.C.			\$33,578.29
c/o James L. Esposito			
271 US Highway 46			
Suite F105-106			
Fairfield, NJ 07004-2471			
3202/15.01	526 North Avenue East	2016	\$6,320.30
Payable to:			
Michael A. Vespasiano, Attorney Trust Account			
Mail to:			
Law Office of Michael A. Vespasiano			
331 Main Street			
Chatham, NJ 07928			

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2018:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
4201/10	652 Summit Avenue	1 st /2018
LEHNER, Todd		\$3,883.32

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2018 Special Improvement District budget:

August 14, 2018	\$105,734.25
November 1, 2018	\$105,734.25

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

BE IT RESOLVED, that the Treasurer of the Town of Westfield be and he is hereby authorized and directed to draw the necessary 3rd & 4th quarterly assessment warrants and issue same to the County of Union, via wire transfer, as follows:

	County Purpose Tax	Open Space Tax
2018 3 rd Quarter	\$9,980,893.53	\$295,090.48
2018 4 th Quarter	9,980,893.52	295,090.47

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, a need exists in the Fire Department to have Fire Headquarters and Station No. 2 buildings assessed to assure the buildings meet contemporary fire and rescue station design and industry standards; and

WHEREAS, at a meeting held August 8, 2017, the Town Council of the Town of Westfield adopted Resolution No. 2017-196, authorizing an award of contract to the firm Lemay Erickson Willcox Architects, PC, 11250 Roger Bacon Drive, Suite 16, Reston, VA 20190 for an initial assessment and report in connection with this initiative at a fee not to exceed \$29,500; and

WHEREAS, at a meeting held December 31, 2017, the Town Council of the Town of Westfield adopted Resolution No. 2017-274, authorizing an award of contract to the aforementioned vendor for Phase 2 of the assessment at cost not to exceed \$11,000; and

WHEREAS, the Phase 2 assessment was recently completed and the Town desires to continue with the third phase of the assessment, and;

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment for the third phase of the assessment, which will be in an amount not to exceed \$115,000, charged to the 2018 Fire Department Account, 125-255, under Purchase Order No. 18-03011 and prepared in accordance with N.J.A.C. 5:30 1.10; and

WHEREAS, the Business Entity Disclosure Certification, Political Contribution Disclosure Form, and the Determination of Value received from Lemay Erickson Willcox Architects PC shall be placed on file along with this resolution in compliance with PL 2005, C271, N.J. S.A. 40A:11-51;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield will enter into a contract for the third phase of assessment of two fire stations; and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, there is a need for the purchase and installation of restrooms at Westfield Memorial Park; and

WHEREAS, the Public Restroom Company, 2587 Business Parkway, Minden, NV 89423 is an authorized vendor under the Buy Board Cooperative Purchasing Program for the purchase, furnishing, and installation of restroom buildings; and

WHEREAS, the purchase of goods and services by a local contracting unit under a National Cooperative Purchasing Program is authorized by N.J.S.A. 52:34-6.2(b)2; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be in the amount of \$146,225 charged to the Park Improvement Trust Fund, Account T-05-600-076, under Purchase Order No. 18-03035 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the Public Restroom Company be and hereby is awarded a contract for the purchase, furnishing and installation of a restroom building at Westfield Memorial Park at a cost not to exceed \$146,225 under Buy Board Cooperative Purchasing Contract No. 512-16; and

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, sealed bids were received by the Town Clerk on August 1, 2018 for the **Proposed Improvements at Memorial Pool** in Westfield, New Jersey as authorized by S.O. 2206A and Public Buildings Operating Account 185-217, and

WHEREAS, the low bid, in the amount of \$98,600.00 submitted by T.R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, NJ 08854 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract is to be charged to S.O. 2206A (C-07-222-06A for \$80,000.00) and Public Buildings Operating Account (8-01-185-217 for \$18,600.00), under Purchase Order #18-03033.

NOW THEREFORE BE IT RESOLVED, that a Contract in the amount of \$98,600.00 be awarded to T.R. Weniger, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for the installation of restrooms at Memorial Park in the Town of Westfield; and

WHEREAS, matching funds in the amount of \$70,000.00 will be certified by the Chief Financial Officer to be charged to account #T-05-600-076.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a "Kids Recreation Trust Fund" grant in the amount of \$70,000.00.

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

AUGUST 14, 2018

WHEREAS, the Cash Management Plan was amended by Resolution No. 137-2018 at the June 19, 2018 meeting and by Resolution No. 176-2018 at the July 10, 2018 meeting of the Westfield Town Council, and

WHEREAS, Spencer Bank has since opened a branch in Westfield and should be added to Part IV, Designation of Depositories;

NOW, THEREFORE BE IT RESOLVED, that Part IV of the Town of Westfield Cash Management Plan be and is hereby amended to include Spencer Bank in the Designation of Depositories.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

**PUBLIC SAFETY, TRANSPORTATION
& PARKING COMMITTEE**

AUGUST 14, 2018

WHEREAS, David Wayman of the Westfield Police Department has retired from the position of Chief of Police effective August 1, 2018; and

WHEREAS, in accordance with the provisions of the Town Charter, the Town Administrator has proposed the appointment of Captain Christopher Battiloro as Acting Police Chief, subject to the consent of the Mayor and approval of the Town Council, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council hereby approve the appointment of Captain Christopher Battiloro to the position of Acting Chief of the Westfield Police Department, effective August 1, 2018 until further notice.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC SAFETY, TRANSPORTATION
& PARKING COMMITTEE

AUGUST 14, 2018

WHEREAS, the Town of Westfield expressed a concern with respect to pedestrian crossings at select locations within the Town, and

WHEREAS, the Police Department recommended to the Public Safety Committee the installation of rectangular rapid-flash beacons (RRFB) to alert motorists to the pedestrian activity occurring at these locations,

WHEREAS, the Town's on-call traffic consultant, NV5, concurred with the Police Department's recommendations with respect to these installations, and

WHEREAS, these crossings involve roadways under Union County jurisdiction, and therefore, Union County approval and concurrence is necessary.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to proceed with installation of the Rectangular Rapid-Flash Beacons upon concurrence of Union County.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 14, 2018

WHEREAS, Fischer Contracting Inc., has completed all of the work necessary for the **2018 Various Street Improvements** as authorized by S.O. 2207 and S.O. 2208A, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$347,993.75 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2207 and S.O. 2208A, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$6,959.88 and to effect whatever actions are appropriate by said final acceptance for the **2018 Various Street Improvements**, with a final contract price of \$347,993.75.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 14, 2018

WHEREAS, Fischer Contracting Inc., has completed all of the work necessary for the **2017 Various Road Improvements** as authorized by S.O. 2203A, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$1,543,075.81 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2203A, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$30,861.52 and to effect whatever actions are appropriate by said final acceptance for the **2017 Various Road Improvements**, with a final contract price of \$1,543,075.81.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

AUGUST 14, 2018

WHEREAS, a need exists for the purchase of public works related equipment as provided for in Special Ordinance 2215A, and

WHEREAS, the contract to purchase this equipment is to be awarded to an authorized vendor through a Cooperative Purchasing Agreement, and

WHEREAS, this equipment will be sufficient to meet the needs of the Department, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a Cooperative Contract, specifically, National Joint Powers Alliance Contract #032515-JDC, a resolution must be adopted by the Governing Body, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Special Ordinance 2215A, Capital Account C-07-221-5A5 under Purchase Order #18-03010.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following equipment from the indicated vendor:

Jesco Inc.
1260 Centennial Avenue
Piscataway, NJ 08854

(1) 2018 Leeboy 1000G Paver	\$ 79,900.00
(1) 2018 Bomag Double Drum Roller	\$ 38,683.50

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, August 14, 2018
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Presentations
5. Appointments
6. Advertised Hearings
7. Approval of Minutes from Town Council Conference Session held July 10, 2018
Approval of Minutes from Town Council Regular Meeting held July 10, 2018
Approval of Minutes from Town Council Executive Session held July 10, 2018
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$1,139,076.63
11. Reports of Standing Committees

Finance Policy Committee

16. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for July 2018
17. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees

18. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fee
19. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
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21. Resolution authorizing the Chief Financial Officer to draw warrants for disabled Veteran tax exemption
22. Resolution authorizing the CFO to draw warrants for 2014-2017 pursuant to Tax Court of NJ
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28. Resolution authorizing an award of contract for 2018 Improvements to Westfield Memorial Pool
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30. Resolution to amend Cash Management Plan

Public Safety, Transportation and Parking Committee

3. Resolution appointing Acting Police Chief
4. Resolution requesting Union County approval for the installation of rectangular rapid-flash beacons (RRFB) at certain crosswalks
5. GENERAL ORDINANCE NO. 2110
"AN ORDINANCE TO AMEND CHAPTER 13, SECTION 31 (MOTOR VEHICLES AND TRAFFIC, PARKING LOT NO. 4) OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO CLARIFY THE REGULATIONS AND TO ALLOW FOR ADDITIONAL PAYMENT OPTIONS TO PAY STATIONS AND MPAY2PARK APP"

Code Review & Town Property Committee

1. GENERAL ORDINANCE NO. 2111
"AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD"
2. GENERAL ORDINANCE NO. 2112
"AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE CODE OF THE TOWN OF WESTFIELD"

Public Works Committee

4. Resolution authorizing final acceptance for 2018 Various Street Improvements (2017 Carryover of Various Street Assessable Projects)
5. Resolution authorizing final acceptance for 2017 Various Road Improvements
6. Resolution authorizing the purchase of Public Works equipment (2018 Paver and Roller)

12. Reports of Department Heads

Adjournment

TOWN OF WESTFIELD

GENERAL ORDINANCE NO. 2110

AN ORDINANCE TO AMEND CHAPTER 13, SECTION 31 (MOTOR VEHICLES AND TRAFFIC, PARKING LOT NO. 4) OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO CLARIFY THE REGULATIONS AND TO ALLOW FOR ADDITIONAL PAYMENT OPTIONS TO PAY STATIONS AND MPAY2PARK APP

WHEREAS, there exists discrepancies between the rules in the Town Code, Parking Signs, and Payment Options applicable to Parking lot no. 4 that make the section inconsistent and unclear.

WHEREAS, the payment options currently available at Pay Stations and on mPay2ParkApp do not reflect the actual maximum allowable hours.

WHEREAS, this governing body believes it is in the best interest of the Town to adopt reasonable regulations to reduce costs to the Town of Westfield and its residents, protect the citizens of the municipality who may use Parking lot no. 4, help prevent erroneous issuance of citations, and to help prevent a waste of prosecutorial resources in the Town of Westfield.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Westfield:

The revised Chapter 13, Section 31 is added to the Revised General Ordinances of the Town of Westfield, as follows:

Sec. 13-31. Parking lot no. 4.

The following regulations shall apply in municipal parking lot no. 4, located between Mountain Avenue and Elm Street and in the rear of properties fronting on East Broad Street:

- (a) Parking in this lot shall be limited to four hours except for those spaces therein as may be designated for eight-hour parking.
- (b) Parking pay stations shall be installed/updated to provide parking for up to eight-hours at the rate of fifty cents for sixty minutes or any portion thereof. Online payment options through mPay2Park App shall be updated to provide parking for up to eight-hours at the rate of fifty cents for sixty minutes or any portion thereof. The operator, immediately after parking the operator's vehicle in the numbered space, shall deposit or cause to be deposited in the pay station device the posted fee required for the numbered space occupied by the operator's vehicle.
- (c) Eight-hour parking spaces shall be designated to provide parking for up to Eight hours at a rate of fifty cents for one hour or any portion thereof. Parking is prohibited in all areas designated for four-hour or eight-hour parking between the hours of 1:00 A.M. and 6:00 A.M.

except for those vehicles displaying night hours parking permits and except in those spaces expressly reserved, marked or designated by the police department for all-night parking.

(d) Hours of enforcement shall be Monday through Saturday 10:00 A.M. to 6:00 P.M.

(G.O. No. 1403, § VII; G.O. No. 1419, § I; G.O. No. 1472, § IV; G.O. No. 1542, § XII; G.O. No. 1770, § I; G.O. No. 1833, § I; G.O. No. 1854, § I; G.O. No. 1905, § I; G.O. No. 1923, § I.)

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2111**

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD**

WHEREAS, periodic update of allowable uses within non-residential zone districts is desirable to help promote economic development and sustainability in Town; and

WHEREAS, microbreweries and craft distilleries can have a symbiotic relationship with local restaurants through the serving of a locally brewed beer or spirit which could help local restaurants further distinguish themselves in the marketplace; and

WHEREAS; the establishment of microbreweries and craft distilleries in Westfield could also increase the number of visitors to the Town through the offering of tours of the establishment along with the retail sales and samplings as permitted by State law; and

WHEREAS, allowing microbreweries and craft distilleries as a conditional use within the Central Business District Zone District would enable a land use board to review the development proposal prior to establishment; and

WHEREAS, the Town Council does hereby further find that the public interest of the Town of Westfield will be served by amending the Land Use Ordinance of the Town of Westfield in the manner set forth herein.

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey, as follows:

SECTION I. Article 2, Section 2.06 titled “DEFINITIONS; C”, is hereby amended and supplemented to include a new definition for Craft Distillery which shall be inserted as a new subsection S which shall read as set forth herein. The existing subsection S shall be re-lettered as subsection T.

“S. **Craft Distillery.** A distillery operating with a craft distillery license as defined and regulated within N.J.S.A. 33:1-10.”

SECTION II. Article 2, Section 2.11 titled “DEFINITIONS; M AND N”, is hereby amended and supplemented to include a new definition for Microbrewery which shall be inserted as a new subsection I which shall read as set forth herein. The existing subsections I through V shall be re-lettered respectively.

“I. **Microbrewery.** A brewery operating with a limited brewery license as defined and regulated within N.J.S.A. 33:1-10.”

SECTION III. Article 11, Section 11.25 titled “CBD CENTRAL BUSINESS DISTRICT”, subsection C. titled “Conditional uses and structures.” is hereby amended and supplemented by adding the following language.

“5. Microbreweries and craft distilleries.”

SECTION IV. Article 18, is hereby amended and supplemented by adding a new Section 23, titled Microbreweries and Craft Distilleries which shall read as follows.

“Microbreweries and Craft Distilleries as defined within Article 2 of the Westfield Land Use Ordinance are permitted only if the following requirements are complied with:

A.Sampling Room and Retail Sales. A microbrewery or craft distillery shall provide a sampling room and retail sales area where product shall be sold to consumers and where samples shall be offered.

B. Street frontage. Warehousing of materials or product, or offices ancillary to the microbrewery or craft distillery shall not occupy any street frontage. In addition, at least 50% of the street frontage of the tenant space shall be occupied by the sampling room and retail sales area.”

SECTION V. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION VI. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION VII. This ordinance shall take effect after passage and publication in the manner provided by law.

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2112**

**AN ORDINANCE TO AMEND CERTAIN PROVISIONS
OF THE CODE OF THE TOWN OF WESTFIELD**

WHEREAS, a construction site may result in negative aesthetic impacts prior to and during construction activity; and

WHEREAS, beyond aesthetic impacts, securing and screening a construction site from public rights-of-way and adjoining properties helps to protect the public from inherent dangers associated with construction activity.

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey, as follows:

SECTION I. Chapter 8., Article VI. Titled “Maintenance of Sites under Construction, Section 8.41 titled “Securing the construction site”, is hereby amended to read as follows.

Sec. 8-41. Securing the construction site.

It shall be the responsibility of the contractor working at any construction site or the owner of a construction site to secure the construction site with a six foot chain link fence which posts anchored in the ground, around the entire perimeter of the construction site, or in another manner as the construction official in the reasonable exercise of his discretion may determine is necessary so as to protect the health and safety of the public. A fabric mesh shall be affixed to the construction site fence which shall (1) allow for the passage of air but shall contain dust and dirt, (2) shall be the full height of the fence and cover the entire length of the fence including any gated openings, (3) shall not contain any advertisements or graffiti, except as may be permitted by Article 16 of the Land Use Ordinance, titled Exterior Signs. The perimeter fence shall be installed prior to the commencement of work and remain on the construction site until a certificate of occupancy is issued or until the construction official determines the construction site no longer requires fencing. In addition, the construction official shall have the authority to require that fencing of the type described herein be installed by the contractor or owner of such lesser portion of a given construction site, than the entire perimeter, as he shall determine based upon the extent of the demolition, excavation and/or construction.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect

the validity of this ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This ordinance shall take effect after passage and publication in the manner provided by law.